



# UNITED STATES PATENT AND TRADEMARK OFFICE

AS  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/320,946	05/26/1999	KAZUYA KAMON	027260-295	5658

21839 7590 01/03/2002

BURNS DOANE SWECKER & MATHIS L L P  
POST OFFICE BOX 1404  
ALEXANDRIA, VA 22313-1404

EXAMINER

MOHAMEDULLA, SALEHA R

ART UNIT	PAPER NUMBER
----------	--------------

1756

16

DATE MAILED: 01/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/320,946

Applicant(s)

KAMON, KAZUYA

Examiner

Saleha R. Mohamedulla

Art Unit

1756

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 October 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 25 and 26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24, 27 and 28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 13.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### **DETAILED ACTION**

Claims 1-28 are pending. Claims 25 and 26 are withdrawn from consideration. The objection to claim 13 and 35 U.S.C. 112, second paragraph rejections of claims 13 and 15 are withdrawn in view of the amendments to the claims.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claims 7-8 and 22-23 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 7 and 22 have been amended to recite that the phase shift pattern is in the transparent substrate. This limitation is not described or disclosed in the original specification or drawings. There is no discussion of the phase shift pattern being in the transparent substrate. The drawings also do not show such a feature. Claims 8 and 23 are rejected as being dependent on claims 7 and 22.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 1756

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

1. Claims 7, 22, 23 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by US# 5,437,947 to Hur et al.

Hur teaches an edge enhancement or highlighting phase shift mask with auxiliary shifters. The mask is a Levenson mask. The mask also includes a phase shift pattern of a shifter shading type with a shade pattern.

To form the mask, Hur teaches a transparent quartz substrate is coated with a patterned photoresist film. The photoresist is a mask to form a trench in the substrate by etching the substrate. The photoresist is removed, and chrome, a light-shading material, is deposited over the substrate, filling the trench in the substrate. Chemical and mechanical polishing is performed to form a smooth surface for the transparent substrate. This makes the opaque layer as high as the quartz layer. An oxide phase shifting layer is then deposited and is coated with a photoresist that is patterned. The photoresist is a mask to pattern the underlying oxide layer and the photoresist is removed (Figs. 9A-9F; col. 5, lines 3-25). The limitation in claim 7 drawn to the method of forming the phase shift pattern does not materially limit the photomask itself. The photomask of Hur includes a phase shift pattern.

Hur also teaches in another embodiment forming a patterned photoresist layer over a transparent substrate and etching the substrate to form grooves. The resist is eliminated and a light shading material is deposited over the substrate, filling the trench in the substrate. Chemical and mechanical polishing is performed to form a smooth surface for the transparent

Art Unit: 1756

substrate. A phase shifting oxide layer is formed over the substrate and a patterned photoresist 27 is formed over the oxide layer 26. The resist layer 27 is used to form phase shifter pattern 28 in fig. 5f. The substrate is then etched to form grooves 29 in Fig. 5h (col. 4, line 30-50; Figs. 5a-5h)

2. Claims 2, 5, 7, 9-11, 14, 15, 17-23 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by US# 5,824,439 to Lee (herein referred to as Lee '439).

Lee '439 teaches a method of manufacturing a phase shifting mask. A groove is formed in a transparent substrate. A light shading or a light-shielding layer is formed in the groove, creating a shade pattern with a shade section made up of a shade film formed in the hollow groove section. A phase-shifting layer is formed and patterned on the light shading layer (col. 4, lines 3-24). The phase shift mask of Lee '439 is a Levenson phase shift mask with auxiliary shifters and enhances the phase shifting effect at the edge portion. The mask also includes a phase shift pattern of a shifter shading type with a shade pattern.

To form the phase shifting mask, a silicon oxide or nitride layer is formed on the transparent substrate and is patterned with electron beam exposure to expose predetermined positions of the transparent substrate (col. 5, lines 10-15). A polymer layer is then coated over the silicon oxide or nitride patterned layer and the substrate. The layer is etched back with reactive ion etching to form sidewalls 35 (Fig. 4B). The grooved hollowed section in the substrate is formed by using the oxide or nitride layer and the sidewalls as a mask during reactive ion etching (col. 5, lines 15-28). The sidewalls are then removed. A light-shading material is deposited to fill the hollow section. The material and the substrate are polished and planarized through chemical-mechanical polishing. Part of layer is oxidized to form a phase shifting layer.

Art Unit: 1756

The part that is not oxidized is a light-shading layer. The light-shading layer is defined to be within the groove. The oxide or nitride layer is then selectively removed to expose portions of the transparent substrate, thereby forming light transmitting portions(col. 5, lines 29-65)..

Lee '439 teaches that through a chemical-mechanical polishing method, the opaque layer and transparent layer are planarized. Lee '439 also teaches that CMP is used to planarize the phase-shifting layer (col. 5, lines 30-35 and 55-65; col. 6, lines 54-56).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2, 5, 9-11, 14, 15, and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US# 5,437,947 to Hur et al. in view of US# 5,824,439 to Lee (Lee '439).

Hur teaches the limitations discussed in paragraph 1 above. Hur does not teach that the surface of the phase shift layer is planarized. Lee '439 teaches a phase shifting mask with opaque material deposited in a pattern of grooves in a transparent substrate, and a phase shifting layer deposited on the opaque material. The phase shifting layer is planarized by chemical mechanical polishing (col. 5, lines 30-35 and 55-65; col. 6, lines 54-56).

The references are analogous art as they are drawn to phase shifting masks. It would have been obvious to one of ordinary skill in the art to planarize the phase-shifting layer of Hur

Art Unit: 1756

to improve adhesion between the opaque and phase shifting layer and improve the planarity of the surface of the phase-shifting layer (col. 6, lines 55-60).

4. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over US# 5,437,947 to Hur et al. or US# 5,824,439 to Lee (Lee '439) in view of US# 5, 945,237 to Tanabe.

Hur or Lee '439 teaches the limitation discussed above in paragraphs 1 and 2 above. Hur or Lee '439 does not teach that the phase shifting layer is a reflection preventing film. Tanabe teaches a phase shifting mask having a phase shifting layer. Tanabe teaches that the phase shifting layer is a translucent layer and may be made of chrome oxide or molybdenum silicide oxide/nitride (col. 13, lines 30-40). These materials are reflection preventing material.

The references are analogous art as they are drawn to phase shifting masks. It would have been obvious to one of ordinary skill in the art to use the reflection-preventing phase-shifting material of Tanabe as the phase-shifting material of Hur or Lee '439 in order to improve phase mask resolution using a simply constructed mask (col. 1, lines 19-28).

5. Claim 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over US# 5,824,439 to Lee (Lee '439) in view of US# 6, 017, 659 to Lee et al (herein referred to as Lee '659).

Lee '439 teaches the limitations of claim 2 discussed in paragraph 2 above. Lee '439 does not teach that the phase-shifter is formed of multiple steps. Lee '659 teaches a phase shifting mask, wherein the difference of a step between the phase shift pattern and the substrate gradually decreases yielding an intermediate or transition phase shifter (Figs. 8D-8G; col. 1, line 62; col. 3, lines 1-20).

Art Unit: 1756

The references are analogous art as they are drawn to manufacturing semiconductor devices using phase shift masks. It would have been obvious to one of ordinary skill in the art to use the method resulting in a stepped structure of Lee '659 in the mask of Lee '439 in order to eliminate the need for using extra masking steps (col. 2, lines 65-68). Lee '439 teaches that the phase shifting layer is planarized by chemical-mechanical polishing, and therefore it would be obvious to planarize the stepped phase shifting layer with chemical mechanical polishing.

6. Claims 3, 4, 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over US# 5,824,439 to Lee (Lee '439) in view of US# 5, 972,540 to Lee (herein referred to as Lee '540).

Lee '439 teaches the limitations of claims 2, 5 and 7 discussed in paragraph 2 above. Lee '439 does not teach that an end section of the phase shift pattern has a sloped shape that decreases.

Lee '540 teaches phase shift patterns that are rounded into sloped phase shift patterns on a transparent substrate (col. 5, lines 20-25, Fig. 10d). Lee teaches that this phase shift patterns are chemically mechanically polished to prevent occurrence of pattern error at the 180 degree/0 degree boundary (col. 2, lines 60-68 and col. 4, lines 45-55). The chemical mechanical polishing is used to form the planar tops and rounded sidewalls.

The references are analogous art as they are drawn to manufacturing semiconductor devices using phase shift masks. It would have been obvious to one of ordinary skill in the art to use the sloped phase-shifters of Lee '540 in the mask of Lee '439 in order to prevent pattern errors at a phase boundary (col. 2, lines 65-68).



Art Unit: 1756

7. Claims 3, 4, 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over US# 5,437,947 to Hur et al. in view of US# 5,824,439 to Lee (Lee '439), in further view of US# 5,972,540 to Lee (herein referred to as Lee '540).

Hur in view of Lee '439 teaches the limitations of claims 2, 5 and 7 discussed in paragraph 1 and 3 above. Hur does not teach that an end section of the phase shift pattern has a sloped shape that decreases.

Lee '540 teaches phase shift patterns that are rounded into sloped phase shift patterns on a transparent substrate (col. 5, lines 20-25, Fig. 10d). Lee teaches that this phase shift patterns are chemically mechanically polished to prevent occurrence of pattern error at the 180 degree/0 degree boundary (col. 2, lines 60-68 and col. 4, lines 45-55). The chemical mechanical polishing is used to form the planar tops and rounded sidewalls.

The references are analogous art as they are drawn to manufacturing semiconductor devices using phase shift masks. It would have been obvious to one of ordinary skill in the art to use the sloped phase-shifters of Lee '540 in the mask of Hur in order to prevent pattern errors at a phase boundary (col. 2, lines 65-68).

8. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over US# 5,824,439 to Lee (Lee '439) in view of US# 5,945,237 to Tanabe.

Lee '439 teaches the limitations of claim 2 discussed in paragraph 2 above. Lee '439 does not teach that the phase shift pattern is a half tone phase shift pattern.

Tanabe teaches a half tone phase shift pattern (col. 1, lines 30-40).

Art Unit: 1756

The references are analogous art as they are drawn to manufacturing semiconductor devices using phase shift masks. It would have been obvious to one of ordinary skill in the art to use the half tone pattern of Tanabe in the mask of Lee '439 in order to improve phase mask resolution using a simply constructed mask (col. 1, lines 19-28).

9. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over US# 5,437,947 to Hur et al. in view of US# 5,824,439 to Lee (Lee '439), in further view of US# 5,945,237 to Tanabe.

Hur in view of Lee '439 teaches the limitations of claim 2 discussed in paragraph 3 above. Hur in view of Lee '439 does not teach that the phase shift pattern is a half tone phase shift pattern.

Tanabe teaches a half tone phase shift pattern (col. 1, lines 30-40).

The references are analogous art as they are drawn to manufacturing semiconductor devices using phase shift masks. It would have been obvious to one of ordinary skill in the art to use the half tone pattern of Tanabe in the mask of Hur in order to improve phase mask resolution using a simply constructed mask (col. 1, lines 19-28).

10. Claims 16 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over US# 5,437,947 to Hur et al. or US# 5,824,439 to Lee (Lee '439) in view of US# 5,945,237 to Tanabe, in further view of US# 6,037,083 to Mitsui.

The combination of Hur or Lee '439 in view of Tanabe teaches the limitations discussed in paragraph 4 above. It is obvious to a skilled artisan to use an electron beam, a laser beam or

Art Unit: 1756

monochromatic beam as radiation to expose the photoresist as these forms of radiation are commonly used in the art to pattern photoresists.

The references do not teach forming a second reflection preventing film on the phase shifting layer. Mitsui teaches a second reflection preventing metal film on a phase shifting half tone film to create a half-tone phase shifting mask (Fig. 10, col. 11, lines 27-30).

The references are analogous art as they are drawn to manufacturing semiconductor devices using phase shift masks. It would have been obvious to one of ordinary skill in the art to use the second reflection preventing film of Mitsui in the mask of Hur or Lee '439 in order to be able to properly etch the underlying phase shift material and yield improved optical characteristics. The second layer of Mitsui exhibits high acid resistance and high reliability (col. 2, lines 48-65).

### *Response to Arguments*

11. Applicant's arguments filed October 18, 2001 have been fully considered but they are not persuasive. Applicant argues that Hur or Lee does not teach selectively etching the transparent substrate to form the phase shift pattern in the transparent substrate. However, the references teach etching the substrate to form a trench or groove, depositing a shading material into the trench or groove, and forming a phase shifting material layer on top of the opaque layer. This process and structure creates a specific phase shift pattern. The etching of the substrate to form this pattern must be performed for the phase shift to work correctly. Therefore, Hur or Lee teaches that the etching of the substrate forms a phase shift pattern. Applicant also argues that Hur, Lee, Tanabe or Mitsui teaches a phase shifting mask while claim 28 does not require a phase shifting feature. However, claim 8 utilizes the transitional term "comprising" and thus

Art Unit: 1756

does not preclude phase shifting features. Applicant argues that Lee or Hur teaches a shading film within in a groove or a trench in a substrate and does not teach that the shading film is formed on a surface of the substrate. However, the groove or trench in the substrate has edges that are the surfaces of the substrate. The shading film is formed on theses surfaces of the substrate. Applicant also argues that Lee does not teach that the phase shift pattern is not part of the shade pattern as claim 5 requires. However, because the phase shift pattern is directly on the shade pattern, the phase shift pattern is part of the shade pattern. When light is used to expose a substrate with the mask, the shade pattern and the phase shifting pattern are exposed together with the same light. Applicant also argues that Lee or Hur does not teach planarizing the phase shift pattern. However, it is inherent that the layer is planarized, as the layer is flat.

Therefore, the Applicant's arguments are not persuasive.

#### ***Citation of Relevant Prior Art***

12. The prior art made of record and not relied upon is considered relevant to the Applicant's disclosure. US# 5,480,747 to Vasudev is drawn to embedded absorbers in a phase shifting mask and teaches the general state of the art, but does not disclose the instant invention as claimed.

#### ***Action is Final***

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

Art Unit: 1756

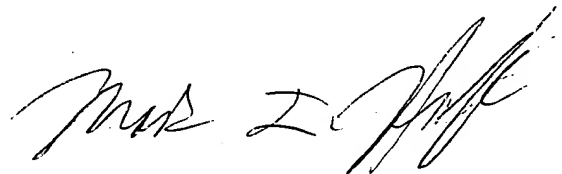
MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### *Conclusion*

14. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Saleha Mohamedulla whose telephone number is (703) 308-1260. The Examiner can normally be reached Monday-Friday, from 8:00 AM to 4:30 PM. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Mark Huff, can be reached on (703) 308-2464. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9310. The After Final fax phone number is (703) 872-9311. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

srm SKM

December 20, 2001



**MARK F. HUFF**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 1700**